

Application No.: 10/076,785  
Docket No.: BB1336USCNT

Page 3

### REMARKS

Claims 1-30 and 32-34 have been cancelled. Thus, Claims 31 and 35-43 are pending currently in the application.

An amended declaration referring to the preliminary amendment filed on February 15, 2002 will be submitted. Furthermore, the priority claim under 35 USC §120 has been changed from a continuation to a continuation-in-part, as filed as part of the first paragraph amended on June 17, 2004.

Claims 31-43 were rejected under 35 U.S.C. § 112, first paragraph (enablement).

Submitted herewith is another copy of previously presented Appendix A which is a comparison of SEQ ID NO:24 of the instant invention with a *Phaseolus vulgaris* cysteine protease (NCBI GI No. 2511691). This comparison demonstrates that SEQ ID NO:24 possesses the same conserved sequence motifs associated with a subfamily of cysteine proteases and would, thus, be expected to have the functionality of a cysteine protease.

Active site residues and cysteines in disulfide bridges are labeled. Residues conserved among all known cysteine proteases are underlined. The soybean cysteine protease possesses all of the described sequence motifs. The Amino acids conserved among the two sequences are indicated with an asterisk (\*) on the top row; dashes are used by the program to maximize alignment of the sequences.

Accordingly, it is respectfully submitted that a breadth of less than 96% is indeed enabled.

It is noted that the previous rejection of claims 31-43 under 35 USC §112, first paragraph, new matter will be overcome by the submission of an effective substitute declaration.

Application No.: 10/076,785  
Docket No.: BB1336USCNT

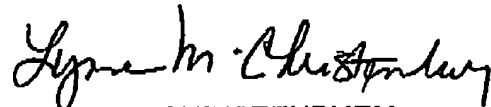
Page 4

A Petition for a one (1) month extension of time and another copy of Appendix A accompany this response.

It is respectfully submitted that the claims are now in form for allowance which allowance is respectfully solicited.

Please charge any fees or credit any overpayment of fees which are required in connection herewith to Deposit Account No. 04-1928 (E. I. du Pont de Nemours and Company).

Respectfully submitted,



LYNNE M. CHRISTENBURY  
ATTORNEY FOR APPLICANTS  
REGISTRATION NO.: 30,971  
TELEPHONE NO.: 302-992-5481  
FACSIMILE: 302-892-1026

DATE:

August 30, 2005